

INTERNATIONAL SEARCH REPORT

International Application No
PCT/US 02/31163

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 A61K9/20

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
IPC 7 A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	DE 198 34 180 A (BENCKISER NV) 3 February 2000 (2000-02-03) cited in the application figures; examples ---	1
X	DE 199 63 569 A (RECKITT BENCKISER NV) 26 July 2001 (2001-07-26) cited in the application figures; examples ---	1
X	EP 0 481 547 A (UNILEVER PLC ; UNILEVER NV (NL)) 22 April 1992 (1992-04-22) cited in the application figures; examples ---	1
X	WO 00 18447 A (IMPAX PHARMACEUTICALS INC) 6 April 2000 (2000-04-06) examples ---	1
-/-		

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents:

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

- *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- *&* document member of the same patent family

Date of the actual completion of the international search

6 February 2003

Date of mailing of the international search report

20/02/2003

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C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT		
Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 4 139 589 A (BERINGER MONIQUE ET AL) 13 February 1979 (1979-02-13) column 4, line 16-44; figures 1,5,6; examples ----	1
X	WO 98 20870 A (POZEN INC) 22 May 1998 (1998-05-22) examples 2-4 ----	1
X	US 6 248 760 B1 (WILHELMSSEN PAUL C) 19 June 2001 (2001-06-19) figures; examples 2,3 ----	1
X	GB 936 386 A (WELLCOME FOUND) 11 September 1963 (1963-09-11) page 2, line 85-89; claim 11; examples 6,7,10 ----	1
X	GB 994 742 A (WELLCOME FOUND) 10 June 1965 (1965-06-10) page 2, line 34,35; examples ----	1
X	GB 1 144 915 A (ARMOUR PHARMA; ROBERT BARRIE CHRISTIE) 12 March 1969 (1969-03-12) claims; examples 6,7 ----	1
X	WO 97 15293 A (BREITENBACH JOERG ; ZETTLER HANS DIETER (DE); BASF AG (DE); HOFMANN) 1 May 1997 (1997-05-01) examples ----	1
X	EP 1 029 892 A (SUWELACK SKIN & HEALTH CARE AG) 23 August 2000 (2000-08-23) column 16, line 2-40; examples 5-8 ----	1
X	WO 95 15156 A (LOHMANN THERAPIE SYST LTS ; CREMER KARSTEN (DE)) 8 June 1995 (1995-06-08) page 10, paragraphs 2,3; figures ----	1
X	US 5 368 863 A (ECKENHOFF JAMES B ET AL) 29 November 1994 (1994-11-29) figures; examples ----	1
P, X	US 2002/028240 A1 (WATANABE SHUNSUKE ET AL) 7 March 2002 (2002-03-07) page 9, column 2, paragraph 1; examples -----	1

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box I.2

Claims Nos.: 1 (partially), 2-51 (not searched)

Claim 1 has been searched partially (examples only), claims 2-51 have been not searched for the following reasons:

Present independent claim 1 relates to an extremely large number of possible products ("dosage form", "active ingredient", "second material", "a surface of the first portion at the interface resides substantially conformally upon a surface of the second portion at the interface"). Support within the meaning of Article 6 PCT and/or disclosure within the meaning of Article 5 PCT is to be found, however, for only a very small proportion of the products claimed (see the examples, "pharmaceutically active ingredient").

The further characterizing parameters in claims 2-51 are considered to lead to a lack of clarity within the meaning of Article 6 PCT. It is impossible to compare the parameters the applicant has chosen to employ with what is set out in the prior art.

In view of the large number and also the wording of the dependent claims presently on file, which render it difficult, if not impossible, to determine the matter for which protection is sought, the present application fails to comply with the clarity and conciseness requirements of Article 6 PCT (see also Rule 6.1(a) PCT) to such an extent that a meaningful search is impossible.

Consequently, the search has been carried out for those parts of the claims which appear to be clear, supported and disclosed, namely those parts relating to the products prepared in the examples.

The applicant's attention is drawn to the fact that claims, or parts of claims, relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure.

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Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:

2. ☒ Claims Nos.: 1 (partially), 2-51 (not searched)
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
see FURTHER INFORMATION sheet PCT/ISA/210

3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.

2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.

3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:

4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

INTERNATIONAL SEARCH REPORT

Information on patent family members

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